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 11 Attorneys for Defendants
 12 J. CRAIG HAMILTON, JR. and JOHN D.
 13 FARRALD, individually and as co-trustees of
 14 PLEXCO TRUST, and PLEXCO TRUST

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

<p>In Re: 14 JRL PROPERTIES INTERNATIONAL, INC. 15 Debtor.</p>	<p>Case No. 04-47072-DML-11 16 Chapter 11 17 (Pending in the United States Bankruptcy 18 Court, Northern District of Texas, Fort 19 Worth Division)</p>
<p>MICHAEL R. ALLEN, 18 Plaintiff, 19 v. 20 J. CRAIG HAMILTON, JR., Individually and 21 as Trustee of PLEXCO TRUST, JOHN D. 22 FARRALD as Trustee of PLEXCO TRUST, 23 PLEXCO TRUST, a California trust, and 24 DOES 1-10, Inclusive, 25 Defendants.</p>	<p>Case No. CO7 03382 PVT 26 27 [PROPOSED] ORDER GRANTING 28 MOTION FOR REMAND, RELIEVING PLAINTIFF OF HIS DEFAULT, AND GRANTING DEFENDANTS LEAVE TO FILE CROSS-COMPLAINT (PROPOSED)</p>

25 The parties having stipulated thereto and GOOD CAUSE APPEARING THEREFORE,
 26 IT IS ORDERED that
 27 1. Plaintiff's Motion for Remand is granted. The case is remanded to the Superior
 28 Court of California for the County of Monterey.

1 2. The Clerk's Entry of Default is vacated. Since the case is remanded to the
2 Monterey County Superior Court and there is no counterclaim procedure in the California State
3 Court, defendants are to be granted leave to file a cross-complaint.

4 3. No fees or costs are awarded to either side. Each party shall pay his or its own
5 attorneys' fees and costs.

6 4. Defendants shall have 60 days, from the date of remand, to file a responsive
7 pleading and cross-complaint in Monterey County Superior Court. Applicable statutes of
8 limitation, if any, are tolled during such 60 days.

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10 Dated: September 12, 2007



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12 Magistrate Judge Patricia Trumbull
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